

REMARKS/ARGUMENTS

Applicants submit this Amendment, in reply to the Final Office Action (“Office Action”) mailed July 5, 2006. In this Amendment, Applicants amend claims 1, 21, 45, 36, and 52 to more appropriately define their invention. Claims 1-52 remain pending in this application.

In the Office Action, the Examiner rejected claims 19, 20, 34, 35, 40, and 41 under 35 U.S.C. § 112, second paragraph; and rejected claims 1-18, 21-33, and 36-52 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 2,048,310 to Wohldorf (“Wohldorf”). The Examiner also indicated that claims 19, 20, 34, and 35 would be allowable if rewritten to overcome the rejections under 35 U.S.C. § 112, second paragraph, and to include all of the limitations of the base claim and any intervening claims. See Office Action, page 5, ¶ 1.

At the outset, Applicants note that amended claim 21 recites “a second linkage mechanism, attached to the raise/lower member at a first end and attached to a second handle member at a second end.” Claims 1, 36, 45, and 52 contain amendments with similar features. Support for the proposed amendments to claims 1, 21, 36, 45, and 52 can be found in the Applicants’ specification at, for example page 18, paragraph 059; and Figs. 2-5 (elements 86, 88, and 90, for example) and 7-11.

Allowable Subject Matter

Applicants gratefully acknowledge the Examiner’s indication of allowable subject matter in claims 19, 20, 34, and 35.

Claim Rejections Under 35 U.S.C. § 112, second paragraph

The Examiner contends that the term “the second lever member” in claims 19 and 34 lack antecedent basis and that the term “the structure tongue” in claim 40 lacks antecedent basis also. Office Action, pages 2. Claims 19, 20, 34, 35, 40 and 41 have been amended to maintain antecedent basis and improve clarity. Accordingly, Applicants respectfully submit that claims 19, 34, and 40 comply with 35 U.S.C. § 112, second paragraph.

Claim Rejections Under 35 U.S.C. § 102(b)

Applicants respectfully traverse the rejection of claims 1-18, 21-33, and 36-52 under 35 U.S.C. § 102(b) as being anticipated by Wohldorf. In order to properly establish that Wohldorf anticipates Applicants’ claimed invention under 35 U.S.C. § 102, each and every element of each of the claims in issue must be found, either expressly described or under principles of inherency, in that single reference. Furthermore, “[t]he identical invention must be shown in as complete detail as is contained in the . . . claim.” See M.P.E.P. § 2131, quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989).

Wohldorf does not disclose each and every element of Applicants’ claimed invention. Wohldorf does not teach, for example, “a second linkage mechanism, attached to the raise/lower member at a first end and attached to a second handle member at a second end,” as recited in amended claim 21 and similar features are recited in claims 1, 36, 45, and 52.

In the Office Action, the Examiner alleges that Wohldorf discloses “a second linkage mechanism (intermediate mechanism) comprised of at least a link member that

includes a pair of linkage bars (sides of element 1).” Office Action, page 3. (Emphasis added). Thus, it appears that the Examiner contends that fork head 1 of Wohldorf constitutes a “second linkage mechanism,” as recited in claim 21. The Examiner, however, also alleges that Wohldorf discloses a “second handle member [having] an opening attached with the second linkage mechanism that includes at least one link member comprising a pair of linkage bars 10’.” Office Action, page 4. (Emphasis added). Therefore, it also appears that the Examiner asserts that guide plate 2, which includes later wall 10’, of Wohldorf corresponds to the claims “second linkage mechanism.” Accordingly, it is unclear to Applicants which part of Wohldorf is alleged by the Examiner to be a second linkage mechanism, since the second linkage mechanism cannot be both fork head 1 and guide plate 2.

If the Examiner intends to assert guide plate 2 as the second linkage mechanism, Applicants note that it appears from Figs. 1-3 of Wohldorf that guide plate 2 itself guides trailer drawbar 12 into the coupling device. Thus, it appears that guide plate 2 was intended by the Examiner to be considered as “a raise/lower member 2,” and not as “second linkage mechanism,” as recited in claim 21. Office Action page 3. Moreover, if the Examiner intends to assert fork head 1 as the second linkage mechanism, Applicants note that Wohldorf is silent as to a handle being connected to fork head 1.

Accordingly, Wohldorf fails to teach a “a second linkage mechanism, attached to the raise/lower member at a first end and attached to a second handle member on a second end,” as recited in claim 21 and similarly recited in claims 1, 36, 45, and 52. Applicants therefore respectfully request the Examiner to reconsider and withdraw the rejection of independent claims 1, 21, 36, 45, and 52. Moreover, claims 2-20, 22-35,

and, 37-51 are allowable at least due to their corresponding dependence from claims 1, 21, 36, and 45.

Claim Scope

In discussing the specification, claims, and drawings in this Amendment, it is to be understood that Applicants are in no way intending to limit the scope of the claims to any exemplary embodiments described in the specification or abstract and/or shown in the drawings. Rather, Applicants believe that Applicants are entitled to have the claims interpreted broadly, to the maximum extent permitted by statute, regulation, and applicable case law.

Conclusion

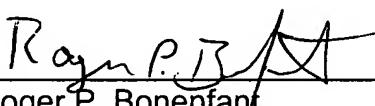
In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: December 29, 2006

By:   
Roger P. Bonenfant  
Reg. No. 58,030